

ENTERED

April 22, 2021

Nathan Ochsner, Clerk

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION**

WILLIAM ROGERS

Plaintiff

VS.

ISAAC KWARTENG, *et al*,

Defendants

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CIVIL NO. 2:18-CV-421

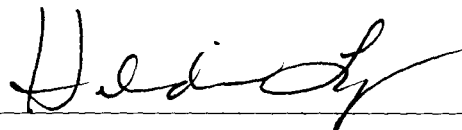
ORDER

The Court is in receipt of the Magistrate Judge's Memorandum and Recommendation ("M&R"), Dkt. No. 35; and Plaintiff's Objections to the M&R, Dkt. No. 39.

After independently reviewing the record and applicable law, the court **ADOPTS** the M&R, Dkt. No. 35. The Court **DISMISSES WITH PREJUDICE** Plaintiff's claims against UTMB as barred by the Eleventh Amendment. The Court **DISMISSES** Plaintiff's claims against Defendants Susanna Corbett and M. Goyel for failure to state a claim and/or as frivolous pursuant to 28 U.S.C. §§ 1915(e)(2)(B) and 1915A(b)(1).

Plaintiff's Eighth Amendment deliberate indifference claims seeking injunctive relief against Dr. Isaac Kwarteng and John Doe Medical Director¹ are **RETAINED**.

SIGNED this 22 day of April 2021.



Hilda Tagle
Senior United States District Judge

¹ Defendants have established that the individual identified as John Doe Medical Director is Defendant Brian Michael O'Donnell. See Dkt. No. 57 at fn. 1.